

**From:** Tom Kiatchuck  
**To:** Microsoft ATR  
**Date:** 12/14/01 9:39pm  
**Subject:** Microsoft Settlement.

It is my belief that the proposed antitrust settlement with Microsoft Corporation is not in the best interests of the American people. It does not protect against future abuses and in fact encourages the spread of the Microsoft software monopoly by training a vast army of young people to use their operating system and attendant application programs to the exclusion of very viable software alternatives. America is based on freedom of choice; but students in Americas' public schools can only learn to use computers, an essential skill for the coming generation of employees, on the products provided to them. Today, the Dept. of Justice has an opportunity to broaden the scope of that choice and thus empower generations yet unborn. It also has the opportunity to cave in to Bill Gates and thus must choose between greatness and ignominy.

The Northern Territories school district in Australia, with a population of just over 200,000, finds that it saved \$1,000,000 in the first year alone by using Linux alongside Microsoft products to provide computer education at all grade levels. This was enough to allow the school district to purchase an additional 1,000 computers for distribution in the schools and as loaner units for students (and their parents) to use at home. In a few short years their children will be competing, very effectively, on the worldwide intellectual marketplace against American children whose access to hardware was hampered by the prohibitive cost imposed by the practice of using Microsoft products all but exclusively in the public schools. The Australian experience could have been dramatically more productive had they used Linux as the operating system on all their computers but it was a good initial step. The present savings represent its use in their servers only.

<http://opensourceschools.org/article.php?story=20011207001012102>  
[opensourceschools.org]

I support the notion that Microsoft should pay its fine in hardware donations only. It has been brought to my attention that Red Hat Software of Research Triangle Park, NC, (near Durham, NC) has offered to provide pro-bono copies of the Linux operating system corresponding to a Microsoft donation of hardware. It is my desire that any donation of software that Microsoft might choose to make would not be included in the proposed settlement but must also be a pro-bono gesture corresponding to the Red Hat Software offer. Moreover, any copies of software Microsoft might donate should require no payment of any sort by the schools at any forward point in time. It must be a true donation of indefinite duration, just as the Red Hat offer is. Otherwise, if required to pay, the schools would eventually have to abandon their training programs for lack of funds to re-license / upgrade their software.

[http://biz.yahoo.com/bw/011120/202744\\_1.html](http://biz.yahoo.com/bw/011120/202744_1.html) [yahoo.com]

While Microsoft Corporation should not be excluded from expressing generosity, such generosity, expressed as software gifts, only furthers their ability to monopolize the marketplace and should not be permitted as a part of the penalty for having followed illegal practices in the establishment of their dominance in the software market.

Microsoft has painted itself the champion of choice and freewill while villifying open-source software as being un-American. I think it is time for their actions, public and private, to match their very public words.

Software donations should be no part of the proposed settlement.